

**ENTERED**

October 14, 2016

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA

VS.

DEREK MOSES GALLEGOS

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§

MAGISTRATE ACTION NO. 2:16-MJ-1261-4

**MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL**

A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The following requires detention of the Defendant pending trial in this case:

- (1) There is a serious risk that the Defendant will not appear; and
- (2) There is a serious risk that the Defendant will endanger the safety of another person or the community.

The evidence against the Defendant meets the probable cause standard. The findings and conclusions contained in the Pretrial Services Report are adopted. The Defendant was placed on probation for a misdemeanor offense in February of this year. While on probation he was arrested for a new felony controlled substances offense in state court. Less than one month ago, he was released on bond for that offense. He was on felony bond when he committed the instant offense. The Defendant appears to be unwilling or unable to comply with court-ordered conditions of release. He is a poor bond risk.

The Defendant is committed to the custody of the United States Marshal or his designated representative for confinement in a corrections facility separate, to the extent

practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 14th day of October, 2016.

  
B. JANICE ELLINGTON  
UNITED STATES MAGISTRATE JUDGE